

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
CHRISTOPHER KIM) Case No. 19-24642 CMB
)
) Chapter 13
Debtor(s).)
X

ORDER OF COURT
(Check Boxes That Apply)

- ☐ Confirming Plan on Final Basis ☐ Chapter 13 Plan dated:
- ☒ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate 5-19-23
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$6909.13** effective **10/22**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning . To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☒ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
County of Allegheny CL.#16
Township of McCandless (RE) CL.#19
PA Department of Revenue CL.#6
Capital One Auto CL.#7

- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☒ K. Additional Terms and Conditions:
Unsecured Pool increased to \$82,805.07. (100%)
Trustee COD filed 5-2-23 (Doc 160) is resolved by this order.

**All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and*

522 shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 7/3/2023


United States Bankruptcy Judge **dmk**

cc: All Parties in Interest to be served by Clerk

FILED
7/3/23 2:33 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
CHRISTOPHER A. KIM
Debtor

Case No. 19-24642-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 03, 2023

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 56

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 05, 2023:

Recip ID	Recipient Name and Address
db	#+ CHRISTOPHER A. KIM, 2000 CREEKVIEW CIRCLE, APT 2314, CRANBERRY TWP, PA 16066-1128
aty	+ David A. Levin, 555 11th Avenue, New Brighton, PA 15066-1442
cr	+ The Huntington National Bank, c/o Christopher J. Niekamp, Esquire, 23 S. Main Street, Third Floor, Akron, OH 44308-1818
15174372	+ ALLEGHENY COUNTY, C/O JOHN WEINSTEIN, 436 GRANT STREET, ROOM 108, COURTHOUSE, Pittsburgh, PA 15219-2497
15174373	+ ALLEGHENY COUNTY, C/O JORDAN TAX SERVICE, PO BOX 200, Bethel Park, PA 15102-0200
15174374	+ ALLEGHENY COUNTY COURT OF COMMON PLEAS, FAMILY DIVISION, 440 ROSS STREET, Pittsburgh, PA 15219-2413
15174377	+ BOROUGH OF WEST VIEW, c/o RITA SCHWARZMEIER, 457 PERRY HIGHWAY, Pittsburgh, PA 15229-1818
15174378	+ CALLIE CHRISTINE KIM, 8313 PERRY HIGHWAY, Pittsburgh, PA 15237-5217
15174379	+ CALLIE CHRISTINE KIM, 132 OAKWOOD AVENUE, Pittsburgh, PA 15229-2030
15174381	+ CENTERS FOR REHAB SERVICES, PO BOX 536213, Pittsburgh, PA 15253-5904
15174386	+ GENESIS MEDICAL ASSOCIATES INC, 8150 PERRY HIGHWAY STE 300, Pittsburgh, PA 15237-5232
15174388	+ MCCANDLESS TWP SANITARY AUTHORITY, 418 ARCADIA DRVIE, Pittsburgh, PA 15237-5597
15174389	+ MEDCARE EQUIPMENT COMPANY, LLC, PO BOX 1259 DEPT #140418, Oaks, PA 19456-1259
15174390	+ NORTH ALLEGHENY SCHOOL DISTRICT, 9955 GRUBBS ROAD, Pittsburgh, PA 15237
15174391	+ NORTH HILLS SCHOOL DISTRICT, c/o RITA SCHWARTZMEIER, TAX COLLECTOR, 457 PERRY HIGHWAY, Pittsburgh, PA 15229-1818
15165199	+ NORTH HILLS SD TAX, C/O MICHAEL WITHERAL, ESQ, JORDON TAX SERVICE, 102 RAHWAY ROAD, Pittsburgh, PA 15217
15180909	+ North Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15174393	+ PEDIATRIC ALLIANCE, 1100 WASHINGTON AVENUE, STE 215, Carnegie, PA 15106-3616
15174394	+ PEOPLES NATURAL GAS, PO BOX 535323, Pittsburgh, PA 15253-5323
15174398	+ TARGET CARD SERVICES, PO BOX 30171, Tampa, FL 33630-3171
15174400	+ TOWN OF MCCANDLESS, 9955 GRUBBS ROAD, Wexford, PA 15090-9645
15170766	+ The Huntington National Bank, c/o Christopher J. Niekamp, 23 S. Main Street, Third Floor, Akron, OH 44308-1818

TOTAL: 22

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@aisinfo.com	Jul 03 2023 23:38:52	Capital One Auto Finance, a division of Capital On, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: ebnjts@grblaw.com	Jul 03 2023 23:29:00	County of Allegheny, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219, UNITED STATES OF AMERICA 15219-6101
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jul 03 2023 23:39:03	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpeoples@grblaw.com	Jul 03 2023 23:29:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828

District/off: 0315-2

User: auto

Page 2 of 4

Date Rcvd: Jul 03, 2023

Form ID: pdf900

Total Noticed: 56

cr	+ Email/PDF: ebn_ais@aisinfo.com	Jul 03 2023 23:38:58	Synchrony Bank by AIS InfoSource, LP as agent., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
15174375	+ Email/PDF: bncnotices@becket-lee.com	Jul 03 2023 23:39:04	AMERICAN EXPRESS, PO BOX 981537, El Paso, TX 79998-1537
15187783	Email/PDF: bncnotices@becket-lee.com	Jul 03 2023 23:38:55	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15174376	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 03 2023 23:39:03	BEST BUY/CBNA, PO BOX 6497, Sioux Falls, SD 57117-6497
15174380	+ Email/PDF: acg.coaf.ebn@aisinfo.com	Jul 03 2023 23:38:54	CAPITAL ONE AUTO FINANCE, 7933 PRESTON ROAD, Plano, TX 75024-2302
15177826	+ Email/Text: documentfiling@lciinc.com	Jul 03 2023 23:29:00	COMCAST, PO BOX 1931, Burlingame, CA 94011-1931
15174383	+ Email/Text: bankruptcy_notifications@ccsusa.com	Jul 03 2023 23:30:00	CREDIT COLLECTION SERVICES, 725 CANTON STREET, Norwood, MA 02062-2609
15179554	+ Email/PDF: acg.acg.ebn@aisinfo.com	Jul 03 2023 23:39:03	Capital One Auto Finance, a division of Capital On, P.O. Box 4360, Houston, TX 77210-4360
15189770	Email/Text: BNCnotices@dcmservices.com	Jul 03 2023 23:29:00	Centers for Rehab Services, PO Box 1123, Minneapolis, MN 55440-1123
15195331	+ Email/Text: ebnjts@grblaw.com	Jul 03 2023 23:29:00	County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
15174384	+ Email/Text: kbarkley@bernsteinlaw.com	Jul 03 2023 23:30:00	DUQUESNE LIGHT COMPANY, C/O PETER J. ASHCROFT, ESQ., 707 GRANT STREET, STE 2200 GULF TOWER, Pittsburgh, PA 15219-1908
15174382	Email/PDF: ais.chase.ebn@aisinfo.com	Jul 03 2023 23:38:59	CHASE CARD, PO BOX 15369, Wilmington, DE 19850
15173468	+ Email/Text: JPMCBKnotices@nationalbankruptcy.com	Jul 03 2023 23:29:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15174387	+ Email/Text: bankruptcy@marinerfinance.com	Jul 03 2023 23:29:00	MARINER FINANCE, 8211 TOWN CENTER DRIVE, Nottingham, MD 21236-5904
15174395	Email/Text: Bankruptcy.Notices@pnc.com	Jul 03 2023 23:29:00	PNC BANK, 3232 NEMARK DRIVE, Miamisburg, OH 45342
15196492	Email/Text: Bankruptcy.Notices@pnc.com	Jul 03 2023 23:29:00	PNC Bank, National Association, P.O. Box 94982, Cleveland, OH 44101
15180173	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 03 2023 23:38:59	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15178088	+ Email/Text: bankruptcy@firstenergycorp.com	Jul 03 2023 23:29:00	Penn Power, 5001 NASA Blvd, Fairmont WV 26554-8248
15178133	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jul 03 2023 23:29:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
15174396	+ Email/Text: info@bolderhealthcare.com	Jul 03 2023 23:29:00	RECEIVABLES OUTSOURCING, INC., PO BOX 549, Lutherville Timonium, MD 21094-0549
15174397	+ Email/PDF: gecsed@recoverycorp.com	Jul 03 2023 23:39:03	SYNCB/CARE CREDIT, PO BOX 965036, Orlando, FL 32896-5036
15165324	+ Email/PDF: ebn_ais@aisinfo.com	Jul 03 2023 23:38:54	Synchrony Bank, AIS InfoSource, LP as agent, 4515 N Santa Fe Ave., Oklahoma City, OK 73118-7901
15174399	Email/Text: bankruptcy@huntington.com	Jul 03 2023 23:29:00	THE HUNTINGTON NATIONAL BANK, PO BOX 182232 NCIW32, Columbus, OH 43218-2232

District/off: 0315-2

User: auto

Page 3 of 4

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15174401	Email/Text: TFS_Agency_Bankruptcy@toyota.com	Jul 03 2023 23:29:00	TOYOTA FINANCIAL SERVICES, PO BOX 5855, Carol Stream, IL 60197-5855
15174402	^ MEBN	Jul 03 2023 23:30:08	TRANSWORLD SYSTEMS INC, 300 CEDAR RIDGE DR, Pittsburgh, PA 15205-1132
15193418	+ Email/Text: bankruptcy@huntington.com	Jul 03 2023 23:29:00	The Huntington National Bank, PO Box 89424, Cleveland, OH 44101-6424
15177249	+ Email/Text: ToyotaBKNotices@nationalbankruptcy.com	Jul 03 2023 23:29:00	Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
15189659	Email/Text: BNCnotices@dcmservices.com	Jul 03 2023 23:29:00	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15174403	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Jul 03 2023 23:29:00	VERIZON, PO BOX 15124, Albany, NY 12212-5124
15174404	Email/Text: bankruptcy@firstenergycorp.com	Jul 03 2023 23:29:00	WEST PENN POWER, PO BOX 3687, Akron, OH 44309-3687

TOTAL: 34

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC BANK, NATIONAL ASSOCIATION
cr		Toyota Motor Credit Corporation
cr		Toyota Motor Credit Corporation
cr	*+	North Allegheny School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15187784	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15174392	*	NORTH HILLS SD TAX, C/O MICHAEL WITHERAL, ESQ, JORDON TAX SERVICE, 102 RAHWAY ROAD, Pittsburgh, PA 15217
15194129	*+	Synchrony Bank, AIS InfoSource, LP as agent, 4515 N Santa Fe Ave., Oklahoma City, OK 73118-7901
15174385	##+	EXPRESS SCRIPTS, PO BOX 747000, Cincinnati, OH 45274-7000

TOTAL: 3 Undeliverable, 4 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 05, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 3, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Toyota Motor Credit Corporation bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com

District/off: 0315-2

User: auto

Page 4 of 4

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Jennifer L. Cerce

on behalf of Creditor North Allegheny School District jlc@mbm-law.net

Keri P. Ebeck

on behalf of Creditor Toyota Motor Credit Corporation kebeck@bernsteinlaw.com
jbluemle@bernsteinlaw.com;kebeck@ecf.courtdrive.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

Russell A. Burdelski

on behalf of Debtor CHRISTOPHER A. KIM Russ@BurdelskiLaw.com russ.burdelski@gmail.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Stephen Russell Franks

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION amps@manleydeas.com

Wade T. Doerr

on behalf of Creditor The Huntington National Bank wdoerr@brouse.com

TOTAL: 10